



**FARMERS  
BRANCH**

5-369  
online

**ORDINANCE NUMBER 2910**

**AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, BY GRANTING A SPECIFIC USE PERMIT TO ALLOW FOR AN OUTDOOR COMMERCIAL AMUSEMENT FACILITY, INCLUDING VARIANCES TO PAVING AND BUILDING SETBACKS, FENCING, AND PARKING REQUIREMENTS, LOCATED ON APPROXIMATELY 18.54 ACRES LOCATED AT 1777 KEENAN BRIDGE ROAD, GENERALLY LOCATED AT THE NORTHWEST CORNER OF KEENAN BRIDGE ROAD AND DAVIS LANE, WITHIN THE PLANNED DEVELOPMENT NUMBER NO. 77 (PD-77) ZONING DISTRICT; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS; PROVIDING FOR INJUNCTIVE RELIEF; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the City of Farmers Branch deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the City to enact a new zoning ordinance; and

WHEREAS, the City Council has appointed a Planning and Zoning Commission to recommend the boundaries of the various original zoning districts and appropriate regulations be enforced therein and to recommend a new zoning ordinance to amend the Comprehensive Zoning Ordinance; and

WHEREAS, the Planning and Zoning Commission has divided the City into districts and has prepared regulations pertaining to such districts in accordance with a comprehensive plan and designed to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote health, general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; and

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration, among other things, the character of the districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City; and

WHEREAS, the Planning and Zoning Commission of the City of Farmers Branch and the City of Farmers Branch City Council, in compliance with the Charter of the City of Farmers Branch, and state law with reference to the granting of changes to the zoning classifications under the Zoning Ordinance Regulations and Zoning Map, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the City of Farmers Branch City Council is of the opinion that due to a change in condition and in order to protect the public health, welfare and safety, said change in zoning should be made.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS:**

**SECTION 1.** That all matters stated in the preamble are found to be true and correct and are incorporated herein as if copied in their entirety.

**SECTION 2.** That the Comprehensive Zoning Ordinance of the City of Farmers Branch, Texas, be, and the same is hereby amended, by amending the Zoning Map of the City of Farmers Branch so as to grant a Specific Use Permit to allow for an outdoor commercial amusement facility, including variances to paving and building setbacks, fencing, and parking requirements, located on approximately 18.54 acres located at 1777 Keenan Bridge Road, generally located at the northwest corner of Keenan Bridge Road and Davis Lane, within Planned Development No. 77 (PD-77) zoning district (hereinafter the "Property"), as described in the attached Exhibit "A" and further depicted in Exhibit "B," and subject to the following conditions:

1. If the City determines at any time that the parking area as shown on the site plan and the parking being provided on the neighboring Golden D'Or property to the west are insufficient or that the parking areas are not being utilized, Club Soccer, Inc. shall be responsible for providing sufficient parking on-site to accommodate parking demand and/or make arrangements to ensure that their patrons are using the provided parking areas, subject to review and approval by the Building Official. Should Club Soccer, Inc. not provide sufficient parking to meet the parking demands generated by the facility, then Club Soccer, Inc. shall limit their activities and operations to comply with parking available to meet their demand.
2. Building elevation drawings, including dimensions and materials, for all buildings or structures shall be subject to review and approval by the Director of Planning, prior to issuance of building permits.
3. Any minor modifications to the site plan shall be administratively approved, unless it is determined by the Director of Planning that a revised site plan should be forwarded to Planning and Zoning Commission and City Council for review and approval.

4. The final photometric plan and electrical plan shall be subject to review and approval by the Director of Planning, prior to issuance of construction permits for electrical and lighting installation.
5. Portable toilets may be utilized until September 1, 2008 or until such time when permanent restrooms are provided, whichever occurs first.
6. The applicant shall dedicate all rights-of-way and fire lane and utility easements, prior to issuance of a Certificate of Occupancy or use of playing fields.

**SECTION 3.** That the Property shall conform in operation, location and construction to the development standards specified within the Planned Development No. 77 (PD-77) zoning district and in accordance with the site plan attached hereto as Exhibit "C" and the plan of operation attached as Exhibit "D." All exhibits attached hereto are incorporated herein by reference.

**SECTION 4.** That the City Council does hereby approve the site plan attached hereto as Exhibit "C" with the following variances:

1. Allow for an approximately 10' paving setback after street right-of-way dedication instead of a 15' paving setback;
2. Allow for building setbacks of 5' along Keenan Bridge Road and 18.5' along Davis Lane instead of setbacks equal to the height of the building;
3. Allow for fencing (soccer nets) greater than 8' in height; and
4. Allow for parking at a distance greater than 150' from the subject site.

**SECTION 5.** If any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

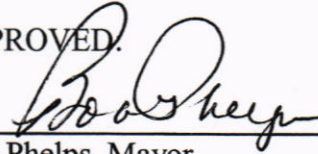
**SECTION 6.** That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Farmers Branch and upon conviction shall be punished by a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense.

**SECTION 7.** In addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

**SECTION 8** This ordinance shall take effect immediately from and after its passage as the law in such case provides.

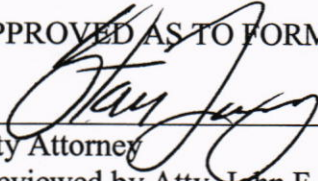
**DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH,  
TEXAS, on this the 2nd day of April, 2007.**

APPROVED.



Bob Phelps, Mayor

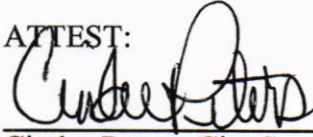
APPROVED AS TO FORM:



City Attorney

(Reviewed by Atty. John F. Boyle, Jr. on 3/15/07)

ATTEST:



Cindee Peters, City Secretary

## **LEGAL DESCRIPTION:**

### **TRACT 1**

BEING A 18.544 ACRE TRACT OF LAND IN THE CITY OF FARMERS BRANCH, DALLAS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND IN NORTH LINE OF KEENAN BRIDGE ROAD SAME BEING THE SOUTHEAST CORNER OF LOT 1 BLOCK 1 OF GREGORY ADDITION RECORDED IN VOLUME 87232, PAGE 1369, OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS

THENCE NORTH 01 DEG. 32 MIN. 07 SEC. WEST 419.22 FEET TO A 1/2" IRON ROD SET FOR A CORNER;

THENCE SOUTH 84 DEG. 38 MIN. 01 SEC. WEST 444.04 FEET TO A 1/2" IRON ROD SET FOR A CORNER;

THENCE NORTH 02 DEG. 10 MIN. 38 SEC. WEST 516.85 FEET TO A 1/2" IRON ROD SET FOR A CORNER ;

THENCE NORTH 83 DEG. 39 MIN. 00 SEC. EAST 1060.82 FEET TO A 1/2" IRON ROD SET FOR A CORNER SAME BEING THE NORTHWEST CORNER OF A 3.202 ACRE TRACT RECORDED IN VOLUME 88131, PAGE 5878, OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS;

THENCE SOUTH 04 DEG. 00 MIN. 06 SEC. EAST 519.98 FEET TO A 1/2" IRON ROD SET AT THE NORTHEAST CORNER OF DAVIS LANE TO THE CITY OF FARMERS BRANCH BY RIGHT OF WAY DEED RECORDED IN VOLUME 87115, PAGE 5213, AND VOLUME 86190, PAGE 6191, BOTH OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS;

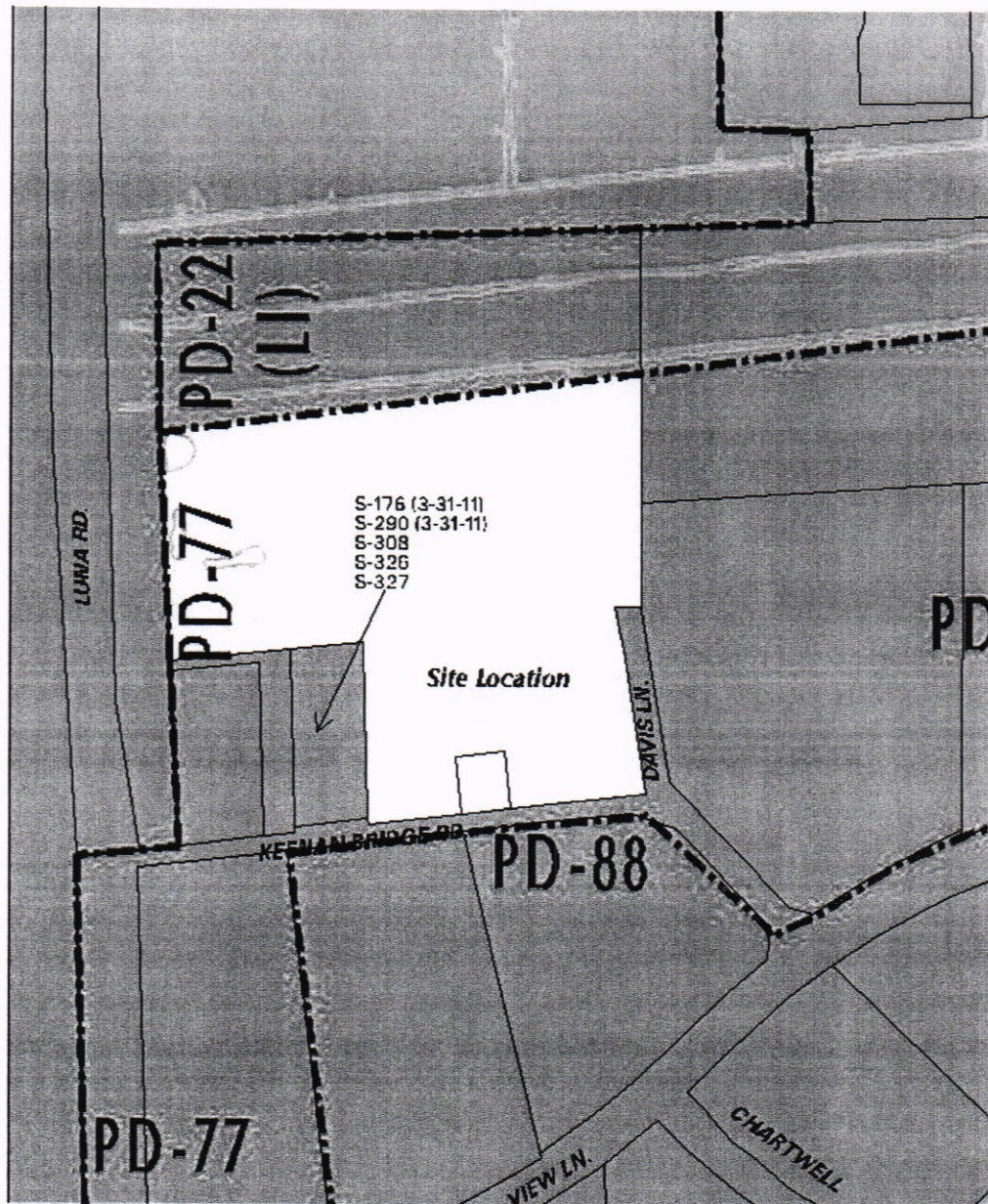
THENCE SOUTH 56 DEG. 48 MIN. 13 SEC. WEST 64.34 FEET TO A 1/2" IRON ROD SET FOR THE NORTHWEST CORNER OF SAID DAVIS LANE;

THENCE SOUTH 08 DEG. 55 MIN. 30 SEC. EAST 430.02 FEET TO AN "X" SET IN THE NORTH LINE OF KEENAN BRIDGE ROAD;

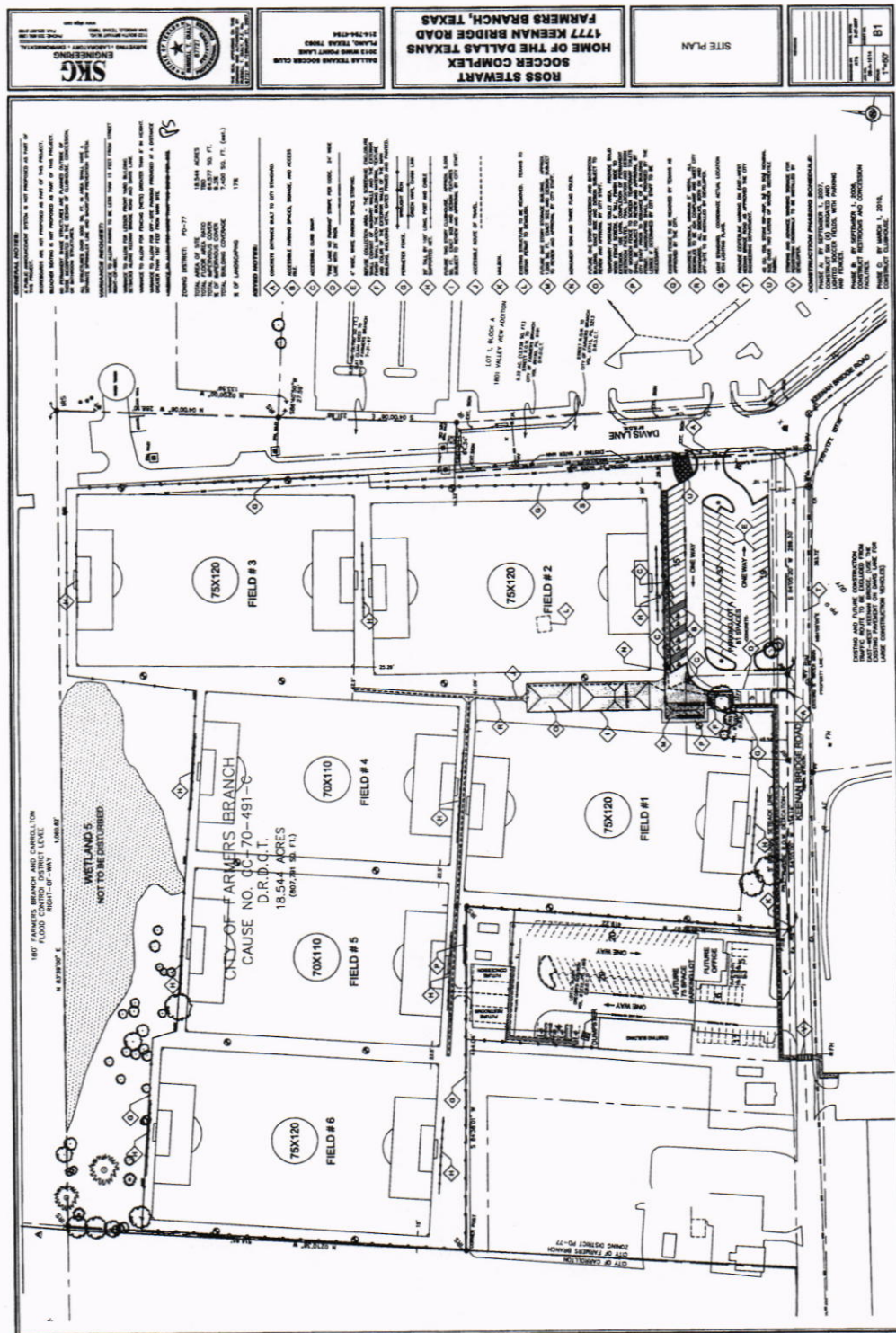
THENCE ALONG THE NORTH LINE OF SAID KEENAN BRIDGE ROAD SOUTH 84 DEG. 05 MIN. 20 SEC. WEST 289.30 FEET TO A 1/2" IRON SET;

THENCE SOUTH 84 DEG. 05 MIN. 00 SEC. 334.14 TO THE POINT OF BEGINNING AND CONTAINING 18.544 ACRES OF LAND.

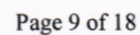
Exhibit "B" – location map



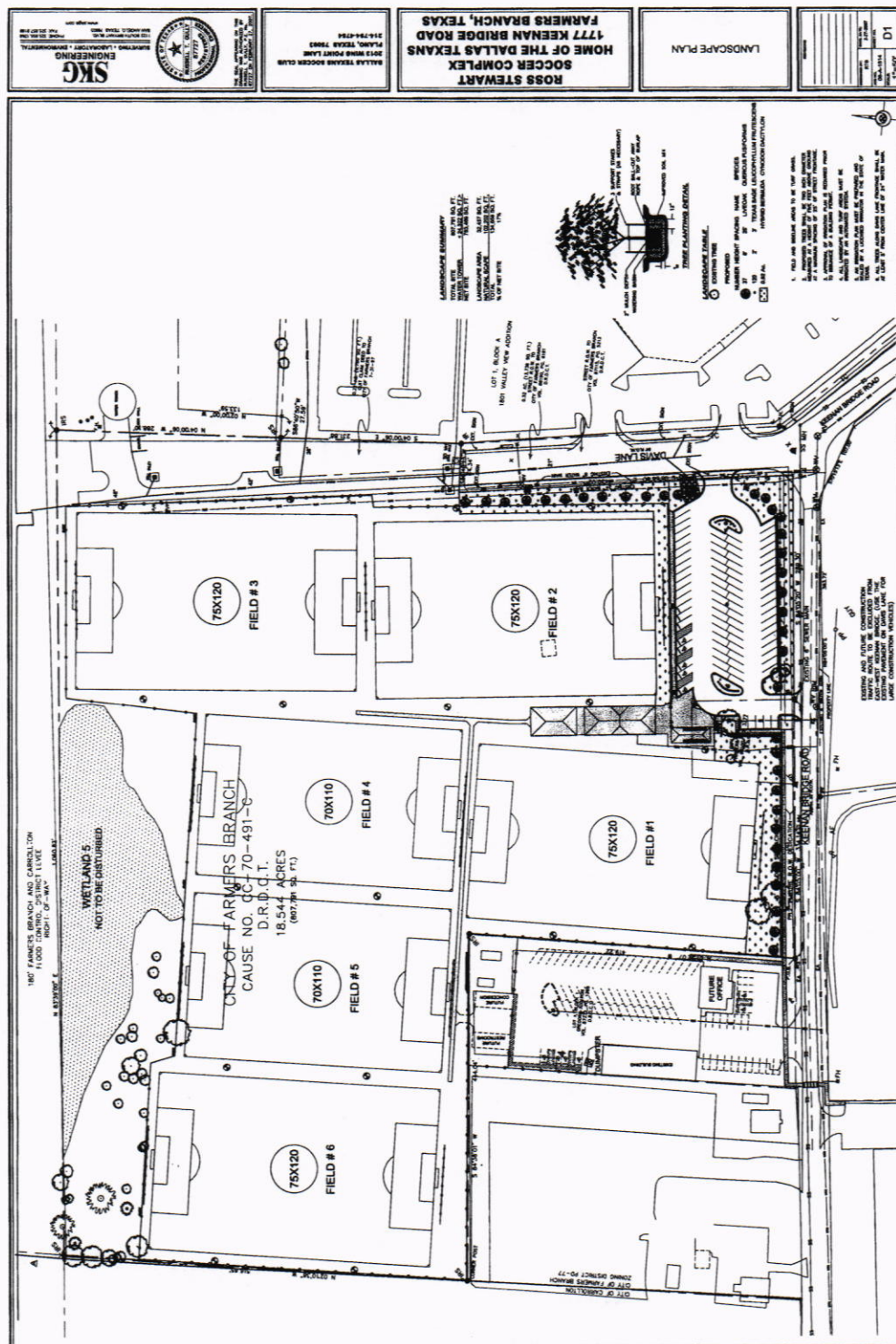
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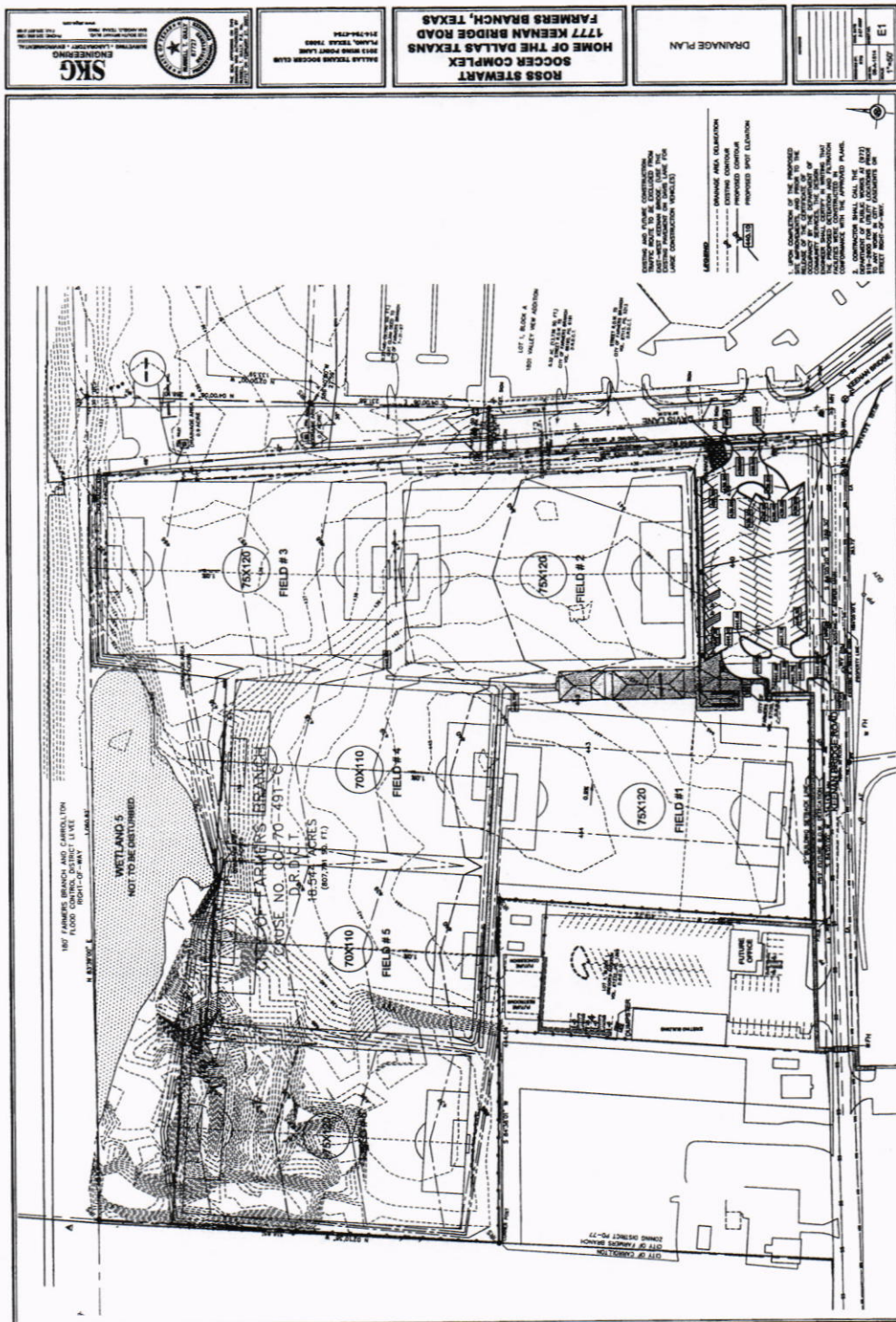


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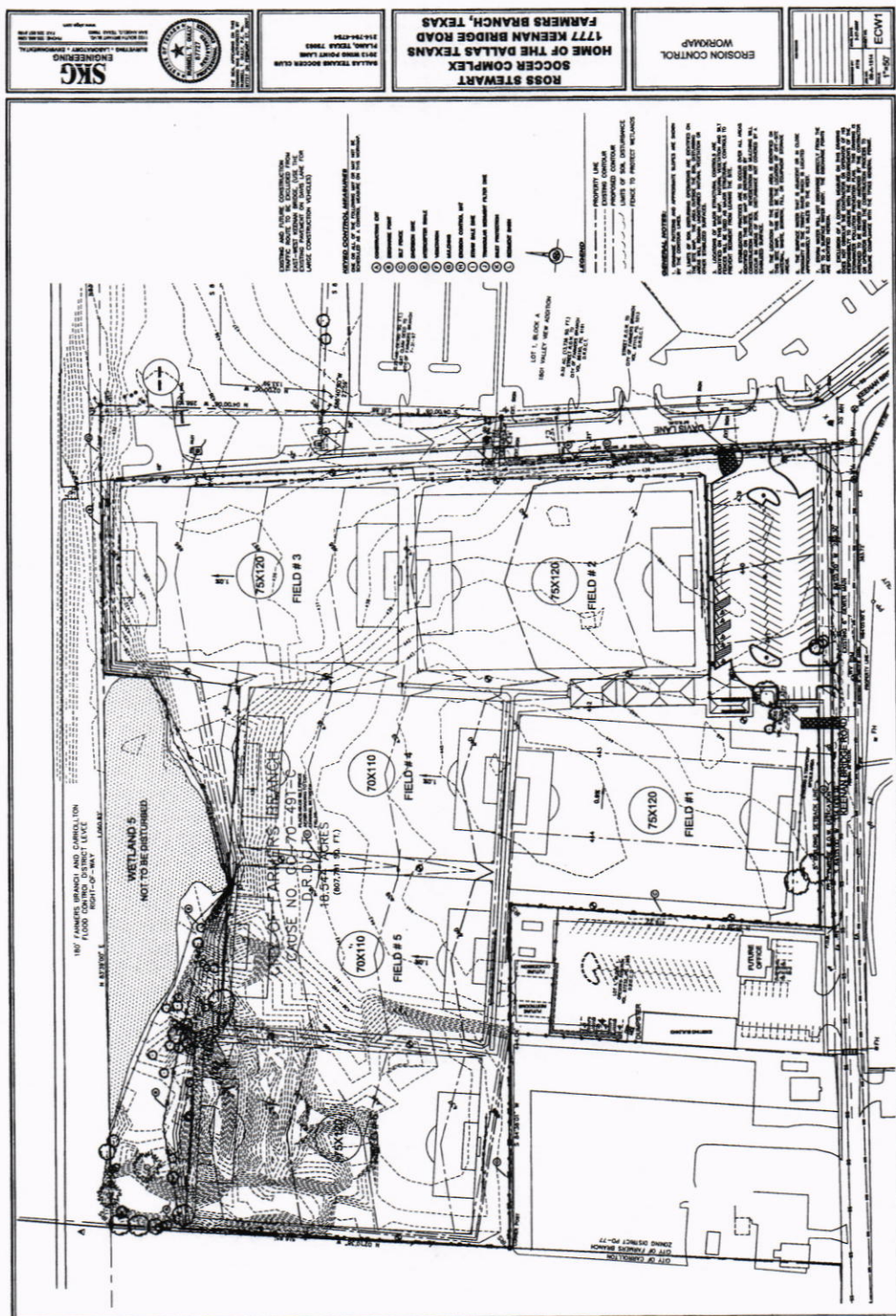
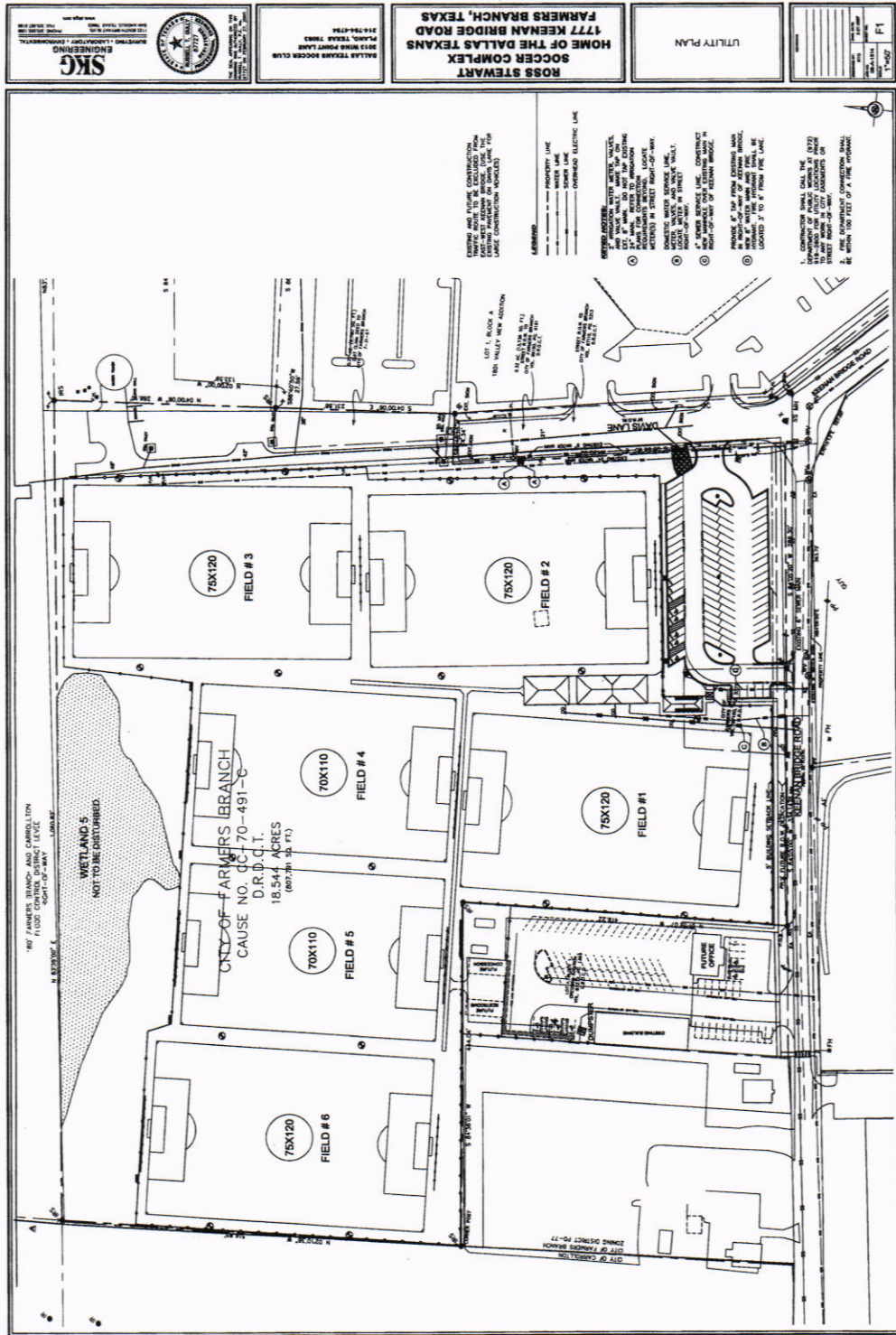


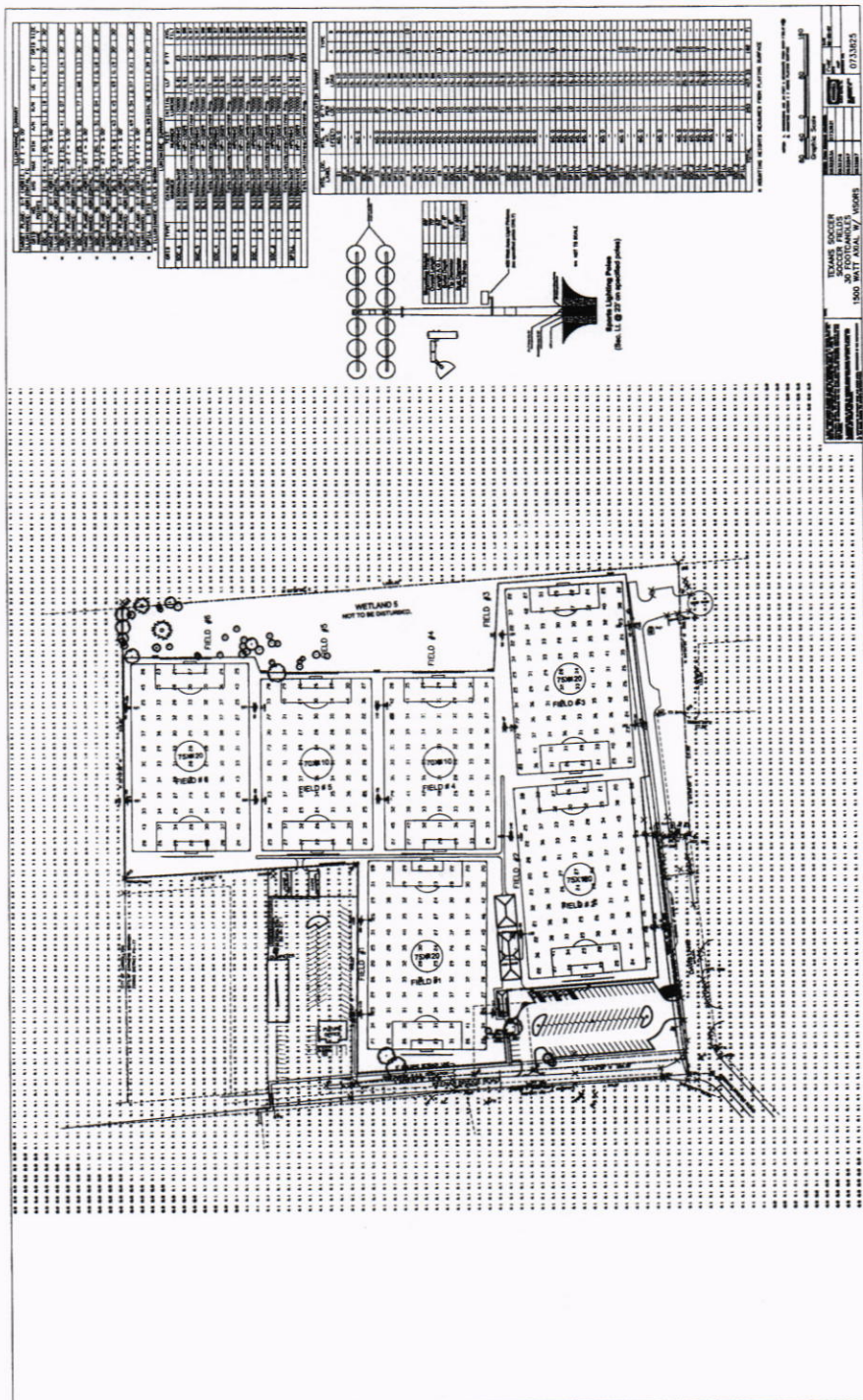
Exhibit "C" - Site Plan (continued)



## Ordinance 2910



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## Ordinance 2910





Planning & Zoning Commission of the City of Farmers Branch  
Application for Specific Use Permit

## PLAN OF OPERATION

All non-residential uses must provide the following information with the application:

Describe proposed use Soccer practices, clinics, camps, games  
and training

Indicate hours of operation of the proposed use Typically 4pm-10pm weekdays;  
up to 12 times per year 7am to 10pm on weekends; during Summer  
months 8am-10pm daily

Total number of employees 4-6, plus 15-20 independent contractor coaches, and  
20± volunteers during tournaments

Indicate if any storage is proposed outside the building No.

Indicate if any activity is proposed outside the building Soccer practices, clinics, camps  
and games.

Any other relevant unique information on the business or site \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_